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UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

CESAR ALDANA,

**Plaintiff,**

VS.

U.S. FINANCIAL MORTGAGE CORP.;  
MORTGAGE ELECTRONIC  
REGISTRATION SYSTEMS, INC. [MERS];  
FIRST CENTENNIAL TITLE COMPANY;  
QUALITY LOAN SERVICE CORP.; FIRST  
AMERICAN NATIONAL DEFAULT aka  
FIRST AMERICAN TITLE; FIRST  
AMERICAN TITLE INSURANCE  
COMPANY; BANK OF AMERICA, N.A.;  
DOCUMENT PROCESSING SOLUTIONS;  
CINDY COOK, individually; et al.,

## Defendants.

Case: 3:10-cv-00715-RCJ-RAM

**SUPPLEMENTAL ORDER  
CONCERNING MEDIATION AND  
INTERIM PAYMENTS**

Pursuant to Court Order dated March 31, 2011 [Dkt. #29]:

**IT IS HEREBY ORDERED** that:

(a) The foreclosure of the property located at 5732 Sun Valley Boulevard, Sun Valley, Nevada, Parcel No. 085-472-18, is prohibited for 100 days from the date of the Order dated March 31, 2011 [Dkt. #29], contingent on the following;

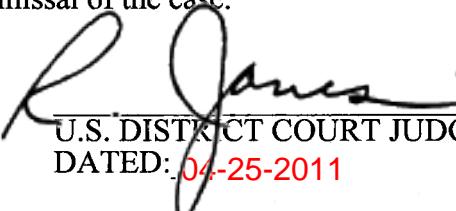
(i) Plaintiff shall make mortgage payments of \$910.00 on or before May 1, 2011; \$910.00 on or before June 1, 2011; \$910.00 on or before July 1, 2011; and \$910.00 on or before August 1, 2011, while the injunction is in

1 place. Plaintiff's payment are to be sent to Bank of America, C/O J.  
2 Christopher Jorgensen, Lewis and Roca LLP, 3993 Howard Hughes Pkwy.,  
3 Suite 600, Las Vegas, Nevada, 89169; to be placed in the Trust Fund of  
4 Lewis and Roca until the completion of this litigation or other court order  
5 directing its release;

- 6 (b) The parties are to return to the state mediation program under the following  
7 conditions:
- 8 (i) Plaintiff must provide Defendants with all necessary financial  
9 information/documentation so a loan modification can be processed;  
10 (ii) Defendants must have an individual, with loan modification  
11 authority, present at the mediation and provide all documents  
12 required by the state mediation program;  
13 (iii) At the mediation, Plaintiff is prohibited from making any argument  
14 regarding "original note," securitization, existence of the loan, or  
15 any other vapor money theories, as contained in his Complaint; and  
16 (iv) The purpose of the mediation is only to determine if Plaintiff  
17 qualifies for a loan modification and if a loan modification can be  
18 agreed to.

19 IT IS FURTHER ORDERED that this case is not stayed, and Defendants are permitted to  
20 proceed with the filings of any pleadings; and

21 IT IS FURTHER ORDERED that Plaintiff's failure to make interim payments or to  
22 participate in mediation will result in dismissal of the case.

23   
24 U.S. DISTRICT COURT JUDGE  
25 DATED: 04-25-2011

1 Respectfully submitted by:

2 LEWIS AND ROCA LLP

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4 By   
5 J. CHRISTOPHER JORGENSEN, ESQ.  
6 Attorney for Defendants

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